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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA
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14 UNITED STATES OF AMERICA,) 3:05-cr-00098-HDM-
15 Plaintiff/Respondent,) 3:10-cv-00531-HDM
16 vs.) ORDER
17 JOHNATHON ROBERTS,)
18 Defendant/Petitioner.)
19 _____)

20 The defendant has filed a motion to vacate, set aside, or
21 correct sentence pursuant to 28 U.S.C. § 2255 (#377, #382, #383).
22 The government has responded (#396), and the defendant has replied
23 (#404, #406).

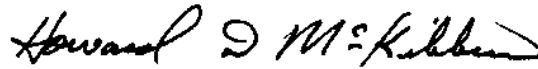
24 The government shall file an affidavit or affidavits of the
25 agents who first searched the defendant's garbage can together with
26 a copy of the agents' reports detailing the location of the garbage
27 can in relation to the street and the defendant's house at the time
28 the garbage can was located by the agents.

1 The government shall also file a supplemental affidavit of
2 Marc Picker clarifying his statement that "there was an issue about
3 where the garbage can was located and whether it was on private
4 property" and that he "believe[d] the Court reviewed testimony and
5 photographic evidence before determining the garbage can was
6 located on public property" (Gov't Opp'n Picker Aff. ¶ 6).

7 The government shall file its supplement as ordered by the
8 court on or before October 26, 2011.

9 IT IS SO ORDERED.

10 DATED: This 26th day of September, 2011.

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12 UNITED STATES DISTRICT JUDGE
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